



John L. Salomone  
Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

**MAYOR JEFF WRIGHT**

## MINUTES

### NEWINGTON TOWN COUNCIL MEETING

**February 10, 2009**

Mayor Wright called the meeting to order at 7:00 PM in the Helen Nelson Room of the Newington Town Hall.

#### **I PLEDGE OF ALLEGIANCE**

#### **II ROLL CALL**

##### Councilors Present

Councilor Banach  
Councilor Boni  
Councilor Bottalico  
Councilor Bowen  
Councilor Cohen  
Councilor Lenares  
Councilor Nagel  
Councilor Nasinnyk  
Mayor Wright

##### Staff Present

Town Manager Salomone  
Ann Harter, Finance Director

#### **III AWARDS/PROCLAMATIONS**

##### **A Newington Midget Football Team**

Mayor Wright presented a certificate in recognition and congratulations of the Newington Midget Football Team, Division II Southern Connecticut Pop Warner Champions and Division II State of Connecticut Pop Warner Champions:

Ian Bomely  
Christian Bonilla  
Jalen Booker  
Zachary Breglia  
Freddy Burgos  
Brandon Caires  
Michael Claffey  
Spencer Daly  
Nolan Davis  
Cameron Dowd  
Matt Gajowiak

Zachary Hedberg  
Randy Hinman  
Stephen Koyama  
Jeremy Martinez  
Domonick Matthews  
Trevor McCarthy  
Ryan North  
DC Ortiz  
Jorge Premto  
Jessie Ramirez  
Jeremy Rodriguez  
Eric Ryan

Marc Santana  
Jon Young

##### Coaches

Jeff Perillo, Head Coach  
Roland Bishop  
Oliver Burgos  
Dean Casella  
Bill Pellegrini  
Jeffrey Perillo  
Dwayne Thomas

Mayor Wright congratulated the players for their hard work and dedication. Deputy Mayor Lenares congratulated the players and coaches for their hard work. Councilor Bottalico congratulated the players and coaches and encouraged the players moving on to high school to help NHS win a high school football championship. Councilor Bowen congratulated the players and the volunteer coaches and also thanked the player's parents for their dedication.

Coach Perillo thanked the Council for the honor. He stated that it has been a long year, and noted that the team also won the State Championship last year as well – a hard feat to accomplish. He noted that the team was undefeated at the state level.

B Midget Football Coach Bill Pelligrini

Deputy Mayor Lenares moved the following:

**WHEREAS, William “Billy” Pelligrini has volunteered his service to Newington Midget Football for 21 years, first and foremost as a coach; and**  
**WHEREAS, Billy Pelligrini has served as a member of the Board of Directors of Newington Midget Football for 15 years, including four years as treasurer; and**  
**WHEREAS, Coach Pelligrini has had measurable impact on the success of Newington Midget Football, coaching the teams to several championships at every level – league, state and New England regional – as well as ultimately winning the National Championship; and**  
**WHEREAS, Billy’s love for the game and the young people who play it is immeasurable and constantly displayed in his actions and treatment of others; and**  
**WHEREAS, whether Billy is hosting monthly coaches meetings, obtaining grinders for playoff bus rides, or giving experienced guidance, his friendship is valued by all with whom he comes in contact;**  
**NOW, THEREFORE, BE IT RESOLVED, that the Newington Town Council hereby extends its appreciation to William “Billy” Pelligrini for his many years of service to the Newington Midget Football League and for selflessly serving as a positive role model for the Town, other coaches, and for all the young people whom he has coached;**  
**BE IT FURTHER RESOLVED, that the Newington Town Council wishes Coach Pelligrini success in his future endeavors and hopes that he will continue to be involved volunteer activities in the Town of Newington.**

Mayor Wright, Deputy Mayor Lenares and Councilor Bottalico congratulated Coach Pelligrini and thanked him for his years of service and dedication. Coach Pelligrini thanked the Council for the honor and stated that he has had great fun through his years of service.

Motion seconded by Councilor Bottalico. Motion passed 9-0.

The Council took a brief recess at 7:12pm and resumed at 7:15pm.

#### **IV PUBLIC PARTICIPATION – IN GENERAL**

Sandy Lallier, 27 Elton Drive: Mrs. Lallier stated that she appreciates the discussion held by Councilors and the information that has been made public over the past couple of meetings and stated that the public is more informed if it sees where decisions are coming from. She urged the Council to continue to embrace the idea of debating ideas back and forth before coming to a decision. She noted two instances in which the public was not aware of discussions that were held behind the scenes, one in which the Deputy Mayor spoke to the schools regarding moving the referendum date to 2/24/09, and the other in which Councilor Bottalico had answers about whether the artificial turf grant must be used at Clem Lemire field prior to there being any discussion about the topic by the Council. She stated that she would prefer to see ideas discussed across the table. Mrs. Lallier also noted that there is a sand pile available to residents at the Highway Department, and it is accessible to anyone at any time.

Ellen Schiller, 84 Settlers Knoll: Mrs. Schiller stated that she was appalled to receive, on her front porch, a brochure about the upcoming referendum that included personal tax information printed on the front page where it is in full view of anyone viewing the brochure. She stated that this gesture could cause many problems. She stated that while this information is a matter of public record, it should not be used without permission, should not be used for purposes outside of her own family, and could be a security concern. Mrs. Schiller stated that there could be break-ins to peoples' homes if the information fell into the wrong hands. She also expressed concern over the cost of the referendum and with the idea of capping tax increases at three-percent. She

inquired what would happen if a Town building needs major repair, and inquired whether such projects will now require referendums. (Mayor Wright asked Mrs. Schiller to wrap up her remarks.) She expressed concern with what will happen with the schools and care for senior citizens with a tax cap. She stated that the vote could have waited until November and urged citizens to vote "no".

## **V        CONSIDERATION OF OLD BUSINESS**

### **A        Appointment of Small Cities Consultant**

Deputy Mayor Lenares moved the following:

**WHEREAS, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program administered by the State of Connecticut, Department of Economic and Community Development, pursuant to Public Law 93-383, as amended; and**

**WHEREAS, pursuant to Chapter 127c and part VI of Chapter 130 of the Connecticut General Statutes, as amended, the Commissioner of Economic and Community Development is authorized to disburse such federal monies to local municipalities; and**

**WHEREAS, the Newington Town Council wishes to make application to the State for this assistance;**

**NOW, THEREFORE, BE IT RESOLVED:**

**That the Newington Town Council hereby authorizes John Salomone, the Town Manager, to enter into an agreement with L.Wagner & Associates to act as the Small Cities Program Administrator and to assist Newington in preparing and submitting its application(s) and Environmental Review Record(s) to the Department of Economic and Community Development with the following conditions:**

- 1. That payment for these services shall be a lump sum not to exceed \$3,000.00 per application. Payment shall only be made to the Program Administrator upon the approval of Newington's 2009 Small Cities Application by the Department of Economic and Community Development.**
- 2. That upon successful submission of this 2009 Small Cities Application(s) the Program Administrator shall be further retained to provide additional services to Newington based on the approved grant application's work program. Compensation to the Program Administrator shall be from the Small Cities grant or grants and shall not require the expenditure of Town funds.**

Motion seconded by Councilor Boni

Councilor Cohen remarked that she has worked with L. Wagner in the past while serving on a building committee at the Senior Center and has found the firm very helpful and easy to work with.

. Motion passed 9-0.

### **B        Mid Year Transfers 1        Within the General Fund**

Deputy Mayor Lenares moved the following:

## **CERTIFICATION:**

**In accordance with Section 808 of the Town Charter, I hereby certify that there exists, free from encumbrances, in the following appropriations in the General Fund, the amounts listed below:**

| <u>Account<br/>Number</u> | <u>Title</u>                      | <u>Amount</u>   |
|---------------------------|-----------------------------------|-----------------|
| 190                       | General Services                  | 10,000          |
| 290                       | Volunteer Incentive Program       | 4,500           |
| 810                       | Parks & Recreation Administration | 10,000          |
|                           | <i>Total</i>                      | <i>\$24,500</i> |

---

*Ann J. Harter, Director of Finance*

**RESOLVED:**

That the Newington Town Council hereby transfers the above-certified funds to the following accounts in the General Fund:

| <u>Account<br/>Number</u> | <u>Title</u>    | <u>Amount</u>   |
|---------------------------|-----------------|-----------------|
| 180                       | Personnel       | \$20,000        |
| 230                       | Fire Department | 4,500           |
|                           | <i>Total</i>    | <i>\$24,500</i> |

Motion seconded by Councilor Boni.

Ann Harter, Director of Finance, gave a rundown of the transfers:

- 190 - General Services and 810 - Parks and Recreations Administration are personnel vacancies
- 290 - Volunteer Incentive Program: There were fewer participants in the program
- 180 – Personnel: Funds transfer needed due to legal costs
- 230 – Fire Department: Funds transfer needed due to increased recruitment.

Councilor Bowen inquired about vacant positions. Mrs. Harter stated that the vacant positions exist in the IST Department and a recently-filled vacant position in Facilities Management. Councilor Bowen inquired whether there is active recruitment in place for the IST position. Town Manager Salomone replied that recruiting will begin shortly.

Motion passed 9-0.

2 From Contingency

Deputy Mayor Lenares moved the following:

**RESOLVED:**

That the Newington Town Council hereby authorizes an expenditure not to exceed twenty-eight thousand dollars (\$28,000) from Program 962, Contingency, for expenses related to the Charter Revision Referendum.

Motion seconded by Councilor Boni.

Councilor Bowen inquired about what the transfer will cover. Mrs. Harter replied that it is to cover the cost of the poll workers and ballots for the February 24, 2009 referendum. Councilor Bowen expressed concern with the wording of the resolution and inquired what would happen if the costs are to exceed \$28,000. Mrs. Harter stated that she worked with the registrar to come up with the estimate. Mayor Wright inquired whether Mrs. Harter feels comfortable with the dollar amount. Mrs. Harter replied in the affirmative. Councilor Bowen expressed concern with specifying a top-end to the amount. He suggested replacing the phrase “**not to exceed**” with “**of**”. Deputy Mayor Lenares amended the motion to make the change. Councilor Boni seconded the amendment.

Councilor Cohen inquired whether the cost includes absentee ballots. Mrs. Harter replied in the affirmative. Councilor Banach stated that he will vote in opposition of the resolution because the referendum can be held in conjunction with the November general election and he feels that holding it in February is an unnecessary expense. Councilor Bowen expressed concern with the incomplete information being sent to the voters. He stated that the State does not require that information is sent for referendums not involving cost (such as building projects) he feels that this referendum is even more important and again expressed concern that voters are not getting complete information. He stated that there is no reason to hold the vote in February when it can be held at no additional cost in November, and stated that he is opposed to the resolution. Councilor Nasinnyk inquired whether there would be any additional costs for the vote if the referendum were to be held in conjunction with the November general elections. Ann Harter replied that there would be no additional cost to do so. Councilor Nasinnyk stated that she is in opposition to the resolution because it is an unnecessary expense. Councilor Cohen stated agreement with Councilors Banach, Bowen and Nasinnyk but indicated that she would vote in favor of the resolution because the referendum is already scheduled and must be paid for regardless of anyone’s opinion.

Motion passed 6-3 (Councilors Banach, Bowen and Nasinnyk opposed)

#### C Alter Town Council Meeting Schedule

Deputy Mayor Lenares moved the following:

#### **RESOLVED:**

**That the Newington Town Council hereby alters its meeting schedule by canceling its regular meeting scheduled for February 24, 2009 and holding a Special Meeting on February 23, 2009.**

Motion seconded by Councilor Boni. Motion passed 9-0.

### **VI MINUTES OF PREVIOUS MEETINGS**

#### A January 13, 2009

Councilor Nagel moved to accept the minutes of the January 13, 2009 meeting as written. Motion seconded by Councilor Cohen. Motion passed 9-0.

#### B January 27, 2009

Councilor Cohen indicated that Deputy Mayor Lenares was erroneously referred to as Deputy Mayor Nagel on page five of the January 27, 2009 minutes. Councilor Nasinnyk moved to accept the minutes as amended. Motion seconded by Councilor Nagel. Motion passed 9-0.

### **VII WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC**

Town Manager Salomone updated the Council on the progress of the New Meadow project. He indicated that he has met with New Samaritan and stated that New Samaritan is eager to move forward with an aggressive schedule on the project, with hopes to break ground before next year. He explained that there will be some items going before the TPZ soon that pertain to the project, and then the items will come before the Council for further review. He noted that the project is moving along more quickly than originally thought and stated that the application to HUD is in the process of being amended to allow for the project to be moved to the northerly portion of the property. He cautioned, however, that in order to maintain a more aggressive time schedule the Town may have to front the cost of the demolition of the existing building on the site, and stated that he will have more information about the timetable of the project soon. Councilor Cohen remarked that a more aggressive

timetable will be good only if proper arrangements are made to relocate NCTV and the Art League. Town Manager Salomone concurred. Councilor Nasinnyk inquired whether New Samaritan's new Director has been good to work with. Town Manager Salomone replied in the affirmative.

Town Manager Salomone indicated that there are enough funds left in the snow removal budget to cover two more snow storms this year, and stated that there should be enough road treatment salt to last the remainder of the year. He noted that it has been a harsh winter with many storms falling over the weekend and on holidays, which presents more of a scheduling challenge and is more expensive. He stated that he has been very happy with the transition from sand and salt mixture to treated salt and stated that the treated salt will reduce road cleanup in the spring.

Town Manager Salomone noted a recent major water main break and publicly thanked the MDC for its quick and thorough response.

Councilor Bottalico inquired about the per-storm cost of snow removal and road treatment. Town Manager Salomone replied that it can vary greatly depending on the length of the storm, the timing of the storm (weekends and holidays) and the type of storm (snow, ice, or mix). Councilor Bottalico noted a savings in the leaf collection overtime budget but inquired about the cost of removing the 13,000 cubic yards from the Town dump. Town Manager Salomone replied that he would get back to Councilor Bottalico with an exact number but indicated that the cost will be less this year due to a private landscaper taking about 15% of the leaves.

Councilor Boni noted that while the police overtime is projected to be under budget he feel that the budget is too high and stated that the Council has a lot of work to do in that area. He also noted an error in the Parks and Grounds budget numbers. Town Manager Salomone stated that he will take a look at the numbers and revise as needed. Councilor Boni noted that the average sale price of property transfers is significantly lower than the same period last year. Town Manager Salomone replied that there were a couple of multi-million dollar property transactions that took place last year that skewed the average.

Councilor Nagel noted several residents' questions regarding the material being used to pretreat roads prior to a snow or ice storm. Town Manager Salomone stated that the material is road salt that has been treated to lower the melting point of the snow or ice, so that the salt can effectively melt the snow or ice at temperatures as low as zero to five degrees. He indicated that the salt is colored so that the operator can see where and how thick the salt is being applied. He stated that he has been very pleased with the program this winter. Councilor Nagel inquired about the status of the Hunter Development project, in which the developer has requested a revision of the stipulations. Town Manager Salomone replied that the original stipulations provided a tight control over the sequence of developing the project in which there had to be substantial progress with the hotel prior to allowing other parts of the complex to be built. He stated that given the current economic situation the developer has issued a request to ease some of these restrictions and indicated that this request is under review by the TPZ.

Councilor Banach inquired as to what constitutes a noise complaint, whether or not the Town has a noise ordinance and if so whether it needs to be updated. Town Manager Salomone replied that the Town does have an up-to-date noise ordinance in place, but indicated that since most sources of noise are transient they can be difficult to enforce. He stated that many complaints for things such as loud parties actually fall under disturbing the peace rather than under a noise ordinance. Councilor Banach inquired whether the Town has a traffic enforcement division, and if not whether this is unusual for a town of this size. Town Manager Salomone replied that the Town does not have a specific traffic division and stated that Newington does run traffic control daily, spread around according to need. Councilor Banach requested that the Chief of Police comment on the Town's traffic enforcement during the upcoming budget session. Councilor Banach inquired whether there is any news about potential tenants for the Food Mart plaza. Town Manager Salomone replied that a meeting with a potential tenant was cancelled and never rescheduled for unknown reasons. He indicated that the owners of the plaza are current with their taxes.

Councilor Bottalico inquired whether the newly hired police officers will cause the overtime costs to go over budget. Town Manager Salomone replied that the overtime budget has been reduced over last year, and costs are projected to be about \$140,000 less than last year. He stated that of the three newly-hired officers one is on duty and the others are in field training and are close to being on duty. He indicated that it takes nine months to fully train new police officers and the Town will see savings in the budget once all three officers complete training. Councilor Banach inquired how many officers would be in service once the new officers complete training. Town Manager Salomone replied that there will be 52 sworn officers.

Councilor Bowen inquired about recent union negotiations. Town Manager Salomone replied that there was a recent mediation session with the union related to the reduction in take-home vehicles recently implemented by the Town. He stated that certain union members feel that this is in violation of their contract and are proceeding to examine his decision about take-home vehicles. He stated that the issue was not resolved during the mediation session, and indicated that the next step will be binding arbitration.

## **VIII COUNCIL LIAISON/COMMITTEE REPORTS**

- Councilor Nagel reported on the following:
  - NCTV: There is ongoing discussion between Cox Communications and NCTV regarding allowing AT&T to broadcast NCTV programming.
  - CRCOG: A community electricity consortium whereby communities may purchase reduced-cost electricity has been introduced.
- Councilor Bottalico reported on the Town Hall Building Committee:
  - The architect has determined the square footage needed by each department and will soon give the Committee a general idea of where each department will go.
- Councilor Nasinnyk reported on the Library Board:
  - The Wethersfield Library has opened, which may help free up long lines at the Newington Library and ease some of the difficulties as a result of recent crowding.
- Councilor Cohen reported on the following:
  - Youth/Adult Council: The annual Hoopla is scheduled for the beginning of March, and the Youth/Adult Council is moving ahead with its mini-grant program.
  - Senior Center: The Senior Center is expected to receive its reaccreditation in the near future. There is also concern with reduced funding for the inter-town Dial A Ride program (which is separate from the Town's Dial A Ride program).

## **IX PUBLIC PARTICIPATION – IN GENERAL**

Rose Lyons, 46 Elton Drive: Ms. Lyons expressed concern that the only mailings going to residents regarding the upcoming referendum have been from those in favor or opposed to the Charter revision and indicated that these documents have only been distributed to select voters. She stated that this should not be a political issue and stated that people with questions should be able to bring them to the Town Manager or the Council. She urged voters to be informed prior to casting a vote. She also remarked that the Post Office collection boxes have been moved from out in front of the Post Office and into the Food Mart parking lot, creating a dangerous situation.

## **X REMARKS BY COUNCILORS**

Councilor Banach inquired about the Council's yearly goal setting retreat, typically held in January, and indicated that there was no retreat held this past January. Mayor Wright noted that Councilor Bowen had suggested that the Council hold a retreat to discuss the budget, but he had felt that there was not a need for a budget retreat. He stated that the idea of a goal-setting retreat was not brought to his attention. Councilor Banach stated that it would be a good idea for the Council to meet to discuss its goals and other issues outside of the budget. He suggested meeting in May. Town Manager Salomone indicated that although no retreat was scheduled in January he feels that it is important to schedule one, perhaps in May. Councilor Bowen stated that he never asked for a retreat specifically for the budget, rather he had hoped to have a meeting to discuss priorities, including the budget. He also remarked that the decision whether or not to hold the meeting would be a group decision, not one made by the Mayor.

Councilor Bowen expressed his concerns with the upcoming Charter revision referendum, and concern with the lack of non-biased information going to the voters. He noted that a past referendum for the Police Department failed in its first attempt after incorrect information was sent to the public. He expressed concern that factual information is not being sent from the Town to the voters. Councilor Bowen noted that in the past the Town has hired independent counsel (outside of the Town Attorney) to advise the Town about how a referendum is to take place and how members of the Council may take part in such events. He indicated that the independent counsel had advised the Council in the two prior referendums to be very careful about how the referendum is presented to the public. He stated that Councilors' positions regarding the referendum must be those of individuals, not those of the Council and should not be perceived to be the Town's position on the issue. Councilor Bowen stated that in his experience with prior Town referendums the Town Manager has been very clear that

the Town seal may only be used for Town business, and noted that NCTV has a very clear policy that the Town seal can only be used for Town programming. He expressed concern that the Town seal is being used in advertising by a particular elected official in order to influence the vote and noted that the Town Attorney, who is appointed by the Mayor, had stated that such use of the Town seal is permissible but has not yet issued a written legal opinion regarding the concern. He stated disappointment that the Town Attorney's written opinion will take two weeks. Councilor Bowen also stated concern that Atty. Clark, appointed counsel for the Charter Revision Commission, is the Chair of the Republican Town Committee in West Hartford and stated disappointment that the selected counsel has a strong political background. He remarked that having attended several Charter Commission meetings and watching the rest on television he feels that there was indeed bias in some of the rulings, as shown by the nineteen amendments recommended by Councilor Cohen in which the legal counsel stated that all of the existing language is fine, despite the fact that some of the recommendations were only to resolve confusion in the wording. Mayor Wright replied that the Town hired Atty. Clark to represent the Charter Commission and indicated that Atty. Clark has the opinion that Town funds cannot be used to take a position, pro or con, regarding the Charter revision. He stated that individuals are allowed to take a position and that the use of the Town seal is legal. He stated that Atty. Clark is not involved in politics in the Town of Newington. Mayor Wright stated that he is proud to be in favor of the Charter revision.

Councilor Nasinnyk addressed Mrs. Schiller's public participation comments and indicated that the mailing Mrs. Schiller received did not originate from the Town Council.

## **XII      ADJOURNMENT**

Councilor Bowen moved to adjourn the meeting at 8:44pm. Motion seconded by Deputy Mayor Lenares. Motion passed 9-0.

Respectfully Submitted,

Mrs. Jaime Trevethan  
Clerk of the Council